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Frederick W. Gibb, III McGinn & Gibb, PLLC Suite 304 2568-A Riva Road Annapolis, MD 21401			SYED, FARHAN M	
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The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MANISH ANAND BHIDE,
AJAY KUMAR GUPTA,
MUKUL MADHUKAR JOSHI,
and MUKESH KUMAR MOHANIA

Appeal 2009-006074
Application 10/729,166
Technology Center 2100

Before HOWARD B. BLANKENSHIP, ST. JOHN COURTENAY III, and
THU A. DANG, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

DECISION ON APPEAL¹

¹ The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing, as recited in 37 C.F.R. § 41.52, begins to run from the “MAIL DATE” (paper delivery mode) or the “NOTIFICATION DATE” (electronic delivery mode) shown on the PTOL-90A cover letter attached to this decision.

STATEMENT OF THE CASE

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-20, which are all the claims in the application. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

Representative Claim

1. A method of monitoring events in a database, said method comprising:

storing in said database at least one database rule;

mapping temporal constraints of an event of the database rule to corresponding temporal events;

changing said temporal constraints associated with the temporal events based upon temporal constraints for related events of said database rule;

registering alarms associated with a start and end of a lifespan of each temporal event;

selectively deploying and selectively permanently removing the temporal events from said database based upon the changed temporal constraints; and

upon reaching said end of said lifespan of said each temporal event, permanently removing from said database said alarm associated with the permanently removed temporal event.

Prior Art

Umeshwar Dayal et al, *Active Database Systems*, Modern Database Systems: The Object Model, Interoperability, and Beyond (ACM Press/Addison-Wesley Publishing Co., Sep. 1994) ("Dayal").

Examiner's Rejections

Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Dayal.

PRINCIPLES OF LAW

“[A]bsence from the reference of any claimed element negates anticipation.” *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565, 1571 (Fed. Cir. 1986) (citation omitted), *overruled on other grounds by Knorr-Bremse Systeme Fuer Nutzfahrzeuge GmbH v. Dana Corp.*, 383 F.3d 1337 (Fed. Cir. 2004) (en banc).

ANALYSIS

Instant claim 1 recites, in part, “registering alarms associated with a start and end of a lifespan of each temporal event,” and “upon reaching said end of said lifespan of said each temporal event, permanently removing from said database said alarm associated with the permanently removed temporal event.” The Specification provides, at pages 5 through 7, a set of definitions that aid in understanding the claim terms.

The statement of the rejection (Ans. 4-5) cites to, and quotes, material in sections 2, 2.5, 3.3, and 4 of Dayal as meeting the claim limitations with respect to registering and removing from the database alarms associated with a start and end of a lifespan of each temporal event. For limitations such as “registering alarms,” the responsive arguments in the Answer (at 9-10) cite to, and quote, material in Dayal that is different from that cited in the statement of the rejection.

Dayal teaches that “[s]ome languages support rules triggered by *temporal events*,” which may be absolute, relative or periodic. Dayal at 4 (§ 2.1). The reference also mentions “temporal events” at page 5 (§ 2.1) and at page 17 (§ 3.6). However, the rejection does not appear to cite to these specific teachings that concern “temporal events.”

We have studied the applied reference, with particular emphasis on the sections pointed out by the rejection. We agree with Appellants that Dayal fails to describe, within the constraints of anticipation under 35 U.S.C. § 102, at least the above-noted claim 1 limitations with respect to registering and removing from the database alarms associated with a start and end of a lifespan of each temporal event.

Each of the other independent claims (13, 14, and 15) recites limitations similar to those of claim 1 for which the rejection fails. Accordingly, we cannot sustain the rejection of any claim on appeal.

DECISION

The rejection of claims 1-20 under 35 U.S.C. § 102(b) as being anticipated by Dayal is reversed.

REVERSED

Appeal 2009-006074
Application 10/729,166

msc

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